THE HONOUABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 13233 of 2007

Date:25-06-2007

Between:

D.Murali Krishna Reddy and another **..PETITIONERS**

AND

The Superintendent of Police, Nellore and four others.

..

RESPONDENTS

ORDER:

The petitioners seek a writ of mandamus to direct the respondents 1 and 2 to register the complaint, dated 18.04.2007 lodged by the petitioners and to extend the police protection to the staff of the petitioner as requested under proceedings Rc.No.A1/1511/2006, dated 21.04.2007 of the third respondent in respect of 150 acres of land under patta No.399 of the petitioners' temple situated at Reddyvarikandriga village of Chejerla mandal, Nellore district.

It is stated that the petitioners are founder trustees of Sri Kodandarama Swamy Temple, Butchireddypalem village. It is stated that the said temple is registered under the Endowments Act and the said temple is having an extent of land of Ac.921.35 cents in Sy.No.451 to 600, 604 to 644 in Reddyvarikandriga village hamlet of Pelluru village, Chejerla mandal, Nellore District. It is further sated that certain villagers of the said village encroached upon the temple land and therefore, the temple authorities have initiated steps for removal of the encroachment and pursuant to the orders passed by the Deputy Commissioner of Endowments Department, Guntur, the encroachments have been removed with the help of the police officials and the possession of the agricultural lands were also taken over by the temple authorities. It is stated that to lease out the said lands, certain babul trees have to be cut and accordingly obtained permission from the government vide its Memo No.51602/Endowments-IV(1)/2006-1, dated 29.11.2006 permitting the endowments officials to conduct public auction for lease of the agricultural lands taken over from the encroachers belonging to the said temple after following due procedure as per rules. In the said auction one Kanchi Vijayal Reddy has became the highest bidder for a sum of Rs.1,90,600/- and the said bidder when entered into the temple land and started his operations for cutting trees in the temple land, it is stated that the villagers of

Reddivarikandrika has obstructed the said highest bidder and the temple staff from entering into the temple lands for cutting. In view of the said facts, the Assistant Commissioner of Endowments Department, Nellore addressed a letter Rc.No.A3/1832/2004,dated 04.06.2007 to the Superintendent of Police, Nellore requesting him to issue suitable instructions to the concerned officials for providing necessary protection security to the highest bidder and the temple staff and also to maintain law and order in the village. It is stated that pursuant to the said letter, dated 04.06.2007 addressed by the 4th respondent to the first respondent, the first respondent has not taken any action so far.

Having regard to the facts and circumstances of the case, the first respondent is directed to consider and pass appropriate orders pursuant to the letter, dated 04.06.2007 addressed by the 4th respondent giving necessary instructions to the second respondent in accordance with law and intimate the action taken to the aforesaid temple authorities.

Accordingly, the writ petition is disposed of. No costs.

V.ESWARAIAH, J.

Date:25.06.2007
ccm